



NEWS RELEASE

from the U.S. Fish and Wildlife Service

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SERVICE SEEKS PUBLIC COMMENT ON AMENDING WATERFOWL BAITING REGULATIONS

The U.S. Fish and Wildlife Service is seeking public comment on regulations that prohibit hunting over natural vegetation that has been mowed or otherwise artificially manipulated to attract waterfowl.

The regulations, addressing illegal baiting of ducks and geese for hunting in moist-soil areas, have been in effect since the 1920s. Critics of the regulations contend they are outdated, overly intrusive, and do not help conserve waterfowl.

"Many believe these regulations are clearly defined and necessary to maintain healthy waterfowl populations, while others believe they are vague, do little for the waterfowl resource, and are inconsistently enforced," said Ken Williams, executive director of the Service's North American Waterfowl and Wetlands Office.

"By publishing this notice, we are inviting hunters, wildlife biologists, state wildlife managers, and others with interest or expertise to advise the Service of their views on the need to reform waterfowl baiting regulations," Williams said.

Comments must be received by June 20, 1996. The Service will review the comments and recommendations before proposing any changes in the regulations.

The Service has identified four key issues:

1. **What are the potential impacts on available habitat of changing the regulations?** Some critics contend the current regulations place unnecessary economic burdens on landowners and provide little incentive to retain waterfowl habitat. It has been alleged that these regulations may discourage landowners from conserving waterfowl habitat but at present, there is no direct evidence that this is occurring nor any way to determine the magnitude or impact of such behavior.
2. **What are the potential impacts to waterfowl populations of changing the regulations?** The Service believes waterfowl harvest is likely to increase; however, the magnitude and resulting impact on populations is uncertain since little information exists about potential impacts.

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3. **What is the effect of changing the regulations on law enforcement efforts?** Any change in regulations must be enforceable. The regulations must clearly identify what constitutes natural vegetation and hunters must be able to easily distinguish between lawful and unlawful practices.
4. **What is the effect of changing the regulations on existing case law?** Any regulatory change would make moot some existing case law. This would have an unknown effect on future court judgments, perhaps resulting in a temporary increase in uncertainty regarding the regulations.

The Service has no position at this time on potential changes in the regulations. If the Service proposes specific changes in the future, the public will have another opportunity to comment.

The Service is reviewing the migratory bird hunting and permit regulations and expects to publish proposed changes based on that review in the future.

However, because of the complex issues involved in waterfowl baiting regulations, the Service has opted to remove these regulations from the broader review and address them in a separate rulemaking.

Comments should be sent to: Director (FWS/NAWWO), U.S. Fish and Wildlife Service, 110 ARLSQ, 1849 C St., NW., Washington, DC 20240.